

such as nervousness, fatigue, irritability and vague aches and pains occur. \* \* \* mild deficiencies, giving rise to milder forms of these symptoms, are not uncommon. Be Alert It is Your Patriotic Duty to Keep Healthy."

StaTabs, misbranding, Section 403 (a). The labeling statements quoted below were false and misleading since they represented and suggested that calcium would be effective to bring about the conditions mentioned, whereas calcium would not be so effective: (Circular entitled "Calcium in Human Nutrition") "The Importance Of Blood Calcium Heart—When blood calcium is low the contractability of the muscles becomes impaired. This means all the muscles. Since the heart is the most important muscle of the body when low blood calcium persists the heart cannot beat as strong and true. The whole muscular strength of the body also becomes reduced. Nerves—Adequate calcium in the blood helps protect the nerves from irritation. When the blood calcium is low the excitability of the nerve is increased. Blood—On wounding, blood will not clot properly if its calcium supply is low. Calcium combines with prothrombin, on exposure to air, to produce one of the principal factors in clot formation. Thus when blood calcium is inadequate, what otherwise might be a minor injury may well become serious. Growth—Inadequate dietary calcium in children retards growth. Tall, strong adults cannot result unless the calcium supply is adequate during the growth period. Thus We See That For Stature, Strength, Stamina And Fortitude We Depend, In Demonstrable Measure, Upon An Adequate Daily Calcium Supply."

Capatabs Calcium Pantothenate Tablets, misbranding, Section 403 (a). The following and similar statements in the labeling were false and misleading since they represented and suggested that the article was effective to restore color to gray hair, whereas the article was not so effective: (Counter display card entitled "Modern Products, Inc. Proudly Presents Capatabs") "Grey hair is usually considered a badge of old age. Yet, many people become prematurely grey, or develop patches of grey hair in their twenties or thirties. This often causes social disappointments and interferes with business advancement. Latest Scientific Discoveries About Grey Hair Recently, the 'Anti-grey-hair' factor of the Vitamin B Complex has been identified as pantothenic acid, and its most desirable form for administration is Calcium Pantothenate. In a recent experiment with this Vitamin by a prominent laboratory, most men and women in the test found it successful and showed positive evidence of a return of hair color. Results were obtained in periods ranging from three to six months. \* \* \* In making a personal test of the relation of nutrition to natural hair color, it is important that you use a dependable product. \* \* \* Try Capatabs in your fight against grey hair"; (circular entitled "A Challenge to All Who Have Grey Hair") "At Last Science Holds Out A Hope Of Restoration Of Natural Color To Grey Hair Through The Medium Of An Essential Food Factor A Challenge To All Who Have Grey Hair \* \* \* Here then is a challenge to all who long for natural hair color, and the more youthful appearance it gives. Twenty-two people out of twenty-five responded favorably to a test. This is indeed a high percentage in any experiment involving physiological reactions. \* \* \* more than a decade ago research workers in nutrition, with no thought of grey hair, made a discovery. Laboratory animals when fed a diet deficient in certain factors of the Vitamin B-Complex displayed 'achromotrichia'—the scientific word for loss of color of the hair. \* \* \* Following the identification of pantothenic acid with possible anti-grey hair activity, several investigators have published successful results obtained with its use in laboratory animals."

The articles, with the exception of the Capatabs Calcium Pantothenate Tablets, were also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1282.

DISPOSITION: March 9, 1944. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**7907. Misbranding of Dr. Charles Northen's Minerals and B Vitamins and Dr. Charles Northen Minerals. U. S. v. 31 Bottles of Minerals and B Vitamins, 16 Bottles of Minerals, and 900 Folders. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15730. Sample Nos. 27534-H, 27535-H.)**

**LIBEL FILED:** March 27, 1945, District of Oregon.

**ALLEGED SHIPMENT:** Minerals and vitamins, between the approximate dates of January 8 and February 6, 1945, by Colloidal Products, from Tampa, Fla.; folders, in the summer of 1944 and in January 1945, by the same firm.

**PRODUCT:** 17 60-capsule bottles and 14 180-capsule bottles of minerals and B vitamins, and 11 180-capsule bottles and 5 360-capsule bottles of minerals, at Portland, Oreg., together with 500 folders entitled "Dr. Charles Northen's Minerals Vitamins," and 400 pink and buff folders entitled "Startling Facts."

**LABEL, IN PART:** "Dr. Charles Northen's Minerals And B Vitamins [or "Minerals"]."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the following and similar statements, which appeared in the folders, created the misleading impression that the articles, individually or in combination, would be effective to supply nutritional elements not readily available from ordinary foods; that use of the articles would be effective in the treatment or prevention of such conditions as constipation, flatulence, dyspepsia, tiredness, poor blood, anemia, improper glandular functioning, and low resistance to disease; and that the articles would be effective to insure adequate nutrition, buoyant health, and proper body functioning: (Buff folder entitled "Startling Facts") "ARE YOU A VICTIM OF THIS 'HEALTH DANGER?' \* \* \* 'The alarming fact is that foods—fruits and vegetables and grains—now being raised on millions of acres of land that no longer contains enough of certain needed Minerals, are starving us—no matter how much of them we eat.' 'Laboratory tests prove that the fruits, the vegetables, the grains, the eggs, and even the milk and the meats of today are not what they were a few generations ago. No man of today can eat enough fruits and vegetables to supply his system with the Minerals he requires for perfect health because his stomach isn't big enough to hold them.' \* \* \* We now know that it must contain, in addition, something like a score of Minerals.' 'A marked deficiency of any one of the more important Minerals actually results in disease. Any upset of the balance, any considerable lack of one or another element, and we sicken, suffer, shorten our lives.' \* \* \* 'Less than one-fourth of us are getting a "good diet", even when measured by the old standards.' \* \* \* They not only build much of the body but also regulate body processes, fluids and secretions. They control the heart beat, the circulation of the blood and the functioning of nerves. EVERY GLAND, EVERY TISSUE, EVERY CELL IS DEPENDENT ON MINERALS FOR PROPER FUNCTIONING.' \* \* \* 'Bear in mind that Minerals are vital to human metabolism and health.' Much illness results from the lack of certain essential Minerals. Bio-Chemistry teaches us that OUR HEALTH IS NO BETTER THAN OUR MINERAL BALANCE and, as we correct our Mineral balance our health improves, to extent that Mineral deficiencies are lessened. Minerals may well be said to help control life itself as explained in the following: DID YOU KNOW THAT THE PRIME OF LIFE MAY BE PROLONGED? \* \* \* 'A diet enriched with two to four times the amount of calcium usually considered adequate for normal nutrition proves beneficial throughout life. It maintains a HIGHER LEVEL of adult vitality with an extended prime of life, and increases life expectation.' MINERALS FOR CHILDREN Children require Minerals not only for maintenance purposes, but, in addition, an added supply for steady growth and development. Bad teeth, poor eyesight, jumpy nerves, low vitality, and other ills may result from an insufficient supply of vital Minerals. \* \* \* CALCIUM is necessary to proper functioning of the glands and other vital organs of the body. Calcium controls the proper use of the other Minerals. Calcium is essential for the steady working of the heart. Calcium soothes irritable nerves and improves the temperament. You can't have a smooth temperament without an ample supply of calcium. Calcium determines the vitality of the nerve. All organs regulated by the nervous system depend on the presence of calcium for the integrity of their functions. \* \* \* The 'average diet' is woefully short in iron, and very little of the iron in foods is absorbed. A deficiency of this vital mineral may mean lack of 'pep', possible digestive disturbances, perhaps an irritable disposition, and on the whole, a general indifference. \* \* \* IODINE \* \* \* helps to prevent loss of energy, obesity and physical and mental sluggishness. \* \* \* POTASSIUM helps your body cells to take up oxygen and give off carbon dioxide. It also functions in the activities of the nerves. SULPHUR is essential to all forms of life. Sulphur is present in the body's natural insulin that keeps you from having diabetes. Your hair is rich in sulphur and there is evidence that sulphur stimulates its growth. Sulphur helps prevent brittle nails. Other Minerals, such as manganese, magnesium, sodium, zinc, cobalt, etc. have important functions to perform. WATCH OUT FOR MINERAL DEFICIENCIES Weak Tired Run-Down Feeling Premature Old Age Anemia Nervousness Underweight Poor Appetite Insomnia Tooth Decay and a host of other ills can easily be caused by Mineral deficiencies.

These conditions may also be due to other causes than Mineral deficiency. \* \* \* 'Lacking Vitamins, the system can make some use of Minerals; but lacking Minerals, Vitamins are useless.' Balanced nutrition requires both Minerals and Vitamins. But, first, be sure you get your Minerals. HOW IS YOUR BLOOD? \* \* \* If your diet is rich in Minerals and necessary food elements your blood will be rich and invigorating. \* \* \* we lose our 'pep', look bedraggled and acquire a listlessness which is anything but attractive or nice to live with. THE PROBLEM \* \* \* The problem is how to get them, how to maintain and improve health on today's foods. THE ANSWER A practical solution of the problem of Mineral deficiencies is represented in the formula of Dr. Charles Northen \* \* \* 'Better health because of greater resistance contributed by foods rich in Minerals and Vitamins should interest every individual.' \* \* \* Dr. Charles Northen's Minerals contain \* \* \* copper, manganese, magnesium, sodium, potassium, sulphur, zinc—over twenty Minerals in capsule form for ready assimilation. Dr. Charles Northen's Minerals are largely composed of particles fine enough to be classed as Colloids. \* \* \* reasonable to conclude that furnishing Minerals in the Colloidal state is cooperating with Nature. \* \* \* It is impossible to be physically, mentally or morally fit without Minerals \* \* \*'; (pink folder entitled "Startling Facts") " \* \* \* 'Too great a percentage of the American people live in a state of borderline health, (being neither sick nor well), nervous, listless, mentally depressed, low in morale and efficiency.' \* \* \* Soil deficiencies, growing conditions, transportation, storage, preparation and cooking, all rob food of minerals and vitamins. Many persons don't like to eat the foods they should. Taste alone is a poor guide to what you should eat. \* \* \* A dietary supplement that supplies all the essential minerals and vitamins would seem to be the wise course. \* \* \* The most difficult of the vitamins to obtain in ordinary foods are the B vitamins. \* \* \* Surveys have shown that the average person in the United States does not receive enough B vitamins. Dr. T. D. Spies says at least 50% of the American people fail to have optimum health and maximum vigor because of a low intake of B vitamins. The B vitamins are easily destroyed by heat and dissolved out in water during cooking. DR. NORTHEN'S MINERALS AND B VITAMINS (MB) are a combination of essential minerals \* \* \* DR. NORTHEN'S MULTIPLE MINERALS AND VITAMINS (MMV) give you 10 vitamins and more than 16 minerals and were developed to supplement the diet with all the minerals and vitamins known to be essential in human nutrition. DR. NORTHEN'S MULTIPLE MINERALS AND VITAMINS (MMV) are a safeguarding measure providing a generous and well balanced formula. DR. NORTHEN'S MULTIPLE MINERALS AND VITAMINS (MMV) give you all the known needed vitamins and all the essential minerals. You may not be suffering from severe deficiency diseases but, as nutritional surveys have shown, you may not be getting enough minerals and vitamins for buoyant health. If you feel nervous, run down, tired-out, weak and depressed, have no appetite, and are underweight, you may need more minerals and vitamins. \* \* \*'; (folder entitled "Dr. Charles Northen's Minerals Vitamins") " \* \* \* 'Life is not merely to be alive, but to be well.' \* \* \* the average American diet cannot always be trusted to provide a sufficient amount of mineral salts \* \* \* As we correct our mineral balance our health improves to extent that mineral deficiencies are lessened. \* \* \* In adults, a deficiency is responsible for much of the constipation, flatulence, dyspepsia, etc. characteristic of middle and old age. With these conditions frequently go headaches, lack of 'pep', and a tendency to tire easily. \* \* \* One of the surest guarantees against a shortage of any link in the nutritional chain would seem to be a complete, balanced mineral and vitamin supplement. \* \* \* While no definite function has yet been fixed for some of the minerals and vitamins they are always present in the body and so are probably necessary, if not for life itself, at least for good health. \* \* \* 'Better health because of greater resistance contributed by foods rich in minerals and vitamins should interest every individual.'"

The articles were also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices. DISPOSITION: May 9, 1945. G. E. Short, Portland, Oreg., claimant, having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the products be released under bond, conditioned upon the segregation and destruction of the folders.